IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 9476 of 2004

Between:

M.Srinivasa Reddy, S/o.M.Raja Reddy, R/o.Opposite to New Bus Stand Bodhan Nizamabad Dist. Licencee of M/s.Tirumala Wines Bodhan.

... PETITIONER

AND

1 The Commissioner for Prohibition, and Excise Govt.of Andhra Pradesh at Hyderabad.
2 The Prohibition and Excise Superintendent, Nizamabad.
3 Shri K.Purushottam Reddy, S/o.Ganga Reddy, R/o.Bodhan Village & Mandal, Nizamabad Dist. Licencee of M/s.Srinivasa Wines Bodhan.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ of mandamus or any other appropriate writ or direction declaring the action of the 1st respondent in granting permission and the consequential order of the 2nd respondent issued in R.c.No.B1/IML/2/2004 dated 11-5-2004 (11.5.2003) as illegal and arbitrary.

Counsel for the Petitioner: G.JHANSI

Counsel for the Respondents: GP FOR PROHIBITION & EXCISE

The Court made the following order:

ORDER:

Learned counsel for the petitioner submits that though the writ petition is filed to declare the action of the licensing authority in permitting the third respondent to shift his shop from D.No.4-2-250 to D.No.4-2-241/5 of Bodhan Village as illegal and arbitrary, the said shop was closed after it was shifted and no application has been submitted for renewal of the said shop. Therefore, the subject matter of the writ petition has become infructuous.

Recording the above submission, the writ petition is accordingly dismissed as infructuous. No costs.

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V. ESWARAIAH, J

April 11, 2005

Dsk

To

1 The Commissioner for Prohibition, and Excise Govt.of Andhra Pradesh at Hyderabad.

2 The Prohibition and Excise Superintendent, Nizamabad.

3 Two CCs to GP For Prohibition & Excise, High Court Buildings, Hyderabad (OUT).

Two CD Copies.